

## **REMARKS**

This is a full and timely response to the Office Action mailed July 7, 2006. Claims 104, 123, and 124 have been amended. Claims 104, 106-115, 119-121, and 123-126 remain pending in the present application. Reconsideration and allowance of the application and presently pending claims are respectfully requested in view of the foregoing remarks. Applicants should not be presumed to agree with any statements made in this Office Action unless otherwise specifically indicated.

### **I. Priority**

The Office Action states that Applicants' claim for domestic priority under 35 U.S.C. §119(e) is acknowledged. The Office Action also states, however, that the Provisional Application No. 60/214,987, upon which priority is claimed fails to provide adequate support under 35 U.S.C. §112 for claims 104-124 of the present application. Applicants do not wish to address the validity of this issue regarding priority at this time, but reserve the right to respond to this issue in a later response. It should not be presumed that Applicants agree with the assertions made in this Office Action regarding priority.

### **II. Claim Objection**

The Office Action objected to claim 123 and 124 because of the recitation "pop-up comments" lacks a proper antecedent. In response, claims 123 and 124 have been amended according to the Examiner's suggestion.

### **III. Response to Claim Rejection under 35 U.S.C. §103**

Claims 104, 106-108, 110, 111, 115, 120, 121, and 123-126 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over *White et al.* (U.S. Patent No. 6,628,302) in view of *Watts et al.* (U.S. Patent No. 6,324,694) and further in view of *Tabuchi et al.* (publication "TV community system that enables users to build and maintain a community associated with the time-line of TV program"). Claim 114 stands rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over *White et al.* in view of *Watts et al.* and further in view of *Abecassis* (U.S. Patent No. 6,408,128). Claims 112 and 113 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over *White et al.* in view of *Watts et al.* and

further in view of *Adams* (U.S. Patent No. 6,378,130). Also, claim 119 stands rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over *White et al.* in view of *Watts et al.* and further in view of *Dunn et al.* (U.S. Patent No. 5,861,906). Applicants respectfully traverse these rejections on the grounds that the cited references, taken alone or in combination, fail to teach or suggest each and every aspect of independent claim 104 as amended.

Claim 104 is reproduced below:

104. A method implemented by a television set-top-terminal (“STT”) configured to receive a video program from a remote server, the method comprising:

storing by the STT a plurality of streams corresponding to the video program from the remote server, the plurality of streams including a first set of streams and a supplementary data stream that is different than the streams in the first set of streams, the first set of streams including at least an audio stream and a video stream, the supplementary data stream corresponding to supplementary information;

providing a first selectable option to receive the video program from a plurality of video programs;

receiving a first viewer input from a viewer, the first viewer input being configured to select the first selectable option;

responsive to receiving the first viewer input, providing a second selectable option to receive the supplementary data stream in the STT, wherein the second selectable option is first provided after receipt of the first viewer input and as a direct result of receiving the first user input, *wherein the second selectable option is associated with an option to display on-screen comments, and wherein the supplementary data stream comprises on-screen comments, the on-screen comments including comments from a director, a producer, an actor, a critic, and at least one other viewer;*

receiving a second viewer input from the viewer responsive to providing the second selectable option;

responsive to receiving the second viewer input corresponding to selecting the second selectable option,

*providing a third selectable option to select on-screen comments from one of a director, a producer, an actor, a critic, and at least one other viewer,*

*receiving a third viewer input from the viewer responsive to providing the third selectable option,*

communicating with the remote server by the STT via a first transmission frequency channel to receive the plurality of streams,

receiving a respective sequential portion of each stream in the plurality of streams substantially simultaneously via a tuner in the STT tuned to the first transmission frequency channel,

storing the sequential portions of the supplementary data stream and each stream in the first set of streams into respective sections of a memory in the STT, and

presenting the sequential portions of the supplementary data stream and the audio stream and the video stream of the video program in the first set of streams in their respective decoded form simultaneously at a plurality of respective time intervals corresponding to respective portions of the video program; and

responsive to receiving the second viewer input corresponding to a viewer input that is different than a viewer input corresponding to selecting the second selectable option,

receiving a respective sequential portion of each stream in the plurality of streams substantially simultaneously via a tuner in the STT tuned to the first transmission frequency channel,

rejecting the supplementary data stream at the STT,

storing the sequential portions of each stream of the first set of streams into respective sections of the memory in the STT, and

presenting the sequential portions of the audio stream and the video stream of the video program of the first set of streams in their respective decoded form simultaneously at a plurality of respective time intervals corresponding to respective portions of the video program.

(Emphasis Added)

*White et al.*, *Watts et al.*, and *Tabuchi et al.*, taken alone or in combination, fail to teach or suggest the above-highlighted features of independent claim 104. In addition, the other cited references fail to overcome the deficiencies of this combination. Claim 104, as amended, recites that the second selectable option is associated with an option to display on-screen comments and

the supplementary data stream comprises on-screen comments and the on-screen comments include *comments from a director, a producer, an actor, a critic, and at least one other viewer*. The cited references do not teach or suggest on-screen comments including comments from a director, a producer, an actor, a critic, and at least one other viewer.

Claim 104, as amended, further recites that in response to receiving the second viewer input corresponding to selecting the second selectable option, the method further comprises *providing a third selectable option to select on-screen comments from one of a director, a producer, an actor, a critic, and at least one other viewer*, and *receiving a third viewer input from the viewer responsive to providing the third selectable option*. The cited references fail to teach or suggest an option to select on-screen comments from a director, producer, actor, critic, or other viewer and an input from a viewer responsive to providing this option.

For at least these reasons, it is believed that claim 104 is allowable over the combination of cited references. In addition, claims 106-108, 110-115, 119-121, and 123-126 are believed to be allowable for at least the reason that they depend directly or indirectly from allowable independent claim 104.

## **CONCLUSION**

Any other statements in the Office Action that are not explicitly addressed herein are not intended to be admitted. In addition, any and all findings of inherency are traversed as not having been shown to be necessarily present. Furthermore, any and all findings of well-known art and official notice, or statements interpreted similarly, should not be considered well known for at least the specific and particular reason that the Office Action does not include specific factual findings predicated on sound technical and scientific reasoning to support such conclusions.

Applicants respectfully maintain that the currently pending claims are in condition for allowance. Should the Examiner have any comments or suggestions that would place the subject patent application in better condition for allowance, he is respectfully requested to telephone the undersigned attorney at (770) 933-9500.

Respectfully submitted,

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**Jeffrey R. Kuester, Reg. No. 34,367**

**THOMAS, KAYDEN,  
HORSTEMEYER & RISLEY, L.L.P.**  
Suite 1750  
100 Galleria Parkway N.W.  
Atlanta, Georgia 30339  
(770) 933-9500